

**CITY OF REDMOND PLANNING COMMISSION
MINUTES**

July 22, 2020

COMMISSIONERS PRESENT: Chairperson Captain, Vice Chairperson Nichols
Commissioners East, Knopf, Rajpathak, Shefrin and
Varadharajan

STAFF PRESENT: Jeff Aken, Senior Planner, Parks and Recreation
Department
Judy Fani, Principal Planner, Beckye Frey, Senior
Planner and Planning Commission Liaison, and
Beverly Mesa-Zendt, Interim Deputy Director
Planning and Community Development Department

EXCUSED ABSENCE:

RECORDING SECRETARY: Carolyn Garza, LLC

CALL TO ORDER:

The virtual meeting was called to order at 7:02 p.m. by Chairperson Captain.

APPROVAL OF THE AGENDA

MOTION to approve the Agenda by Vice Chairperson Nichols. MOTION seconded by Commissioner Knopf. The MOTION passed unanimously.

MESSAGE FROM THE MAYOR

Mayor Angela Birney thanked all Redmond Commissions and asked if any questions could be answered regarding the City.

Commissioner Knopf asked Mayor Birney how the current unprecedented times are affecting the future agenda for Redmond. Mayor Birney replied that most goals can be achieved albeit at a slower pace and the budget is being worked on. Some programs will most likely need to be paused until a recovery occurs. Sales tax revenue has slowed, and recreation funds and water utilities are challenged. The City has made amazing changes to adapt to the pandemic, and the first Redmond streatory is open for business. Remaining positive about where Redmond is headed is important.

Chairperson Captain stated that the City has been nimble and praised the work done to create streateries. Staff has been wonderful in making things happen in unprecedented times. Mayor Birney stated appreciating staff and community stepping up into challenges. Opening streateries were possible because of the number of people and entities working together to create the opportunity. Pet food and face masks have been distributed at City Hall free of charge. Non-profits and volunteers are filling voids in the community such as food drops to families with children that normally receive free or reduced cost lunches.

Mayor Birney thanked everyone for the opportunity to speak and answer questions at the meeting.

APPROVAL OF MINUTES

MOTION to Approve Planning Commission Meeting Summaries for June 10, 2020 and June 24, 2020 and Meeting Minutes for July 8, 2020 by Commissioner East. MOTION Seconded by Vice Chairperson Nichols. The MOTION passed unanimously.

ITEMS FROM THE AUDIENCE: None

Public Hearing, Policy Amendments to PARCC Plan (Parks, Arts, Recreation, Culture and Conservation), Parks and Trails ADA (Americans with Disabilities Act) Transition Plan, Tree Canopy Strategic Plan and Facilities Strategic Management Plan

Mr. Aken presented a change to the recommendation, that NE-113 be retained as the policy forms the basis for the zoning code.

Ms. Frey stated that no requests were received to comment during the virtual public hearing, but two additional written comments had been received: from Ms. Rosemary Ives on July 18, 2020 and Mr. Tom Hinman on July 21, 2020 and have been entered into the public hearing record. The comments have been forwarded to the Planning Commission and posted to the Planning Commission website.

Chairperson Captain closed the Public Hearing and opened the Study Session.

Mr. Aken began with number five on the Issues Matrix, questions regarding development impacts. Current canopies and opportunities for future canopies are better addressed in the Tree Code review. The Strategic Plan identifies a comprehensive review of current regulations as a strategy to ensure the intended goal is met. Chairperson Captain was satisfied with the answer and stated the issue could be closed; two issues remained, number six and number seven both from Commissioner Varadharajan.

Mr. Aken continued with number six, clarifying the actual canopy goal. One of the reasons 40% was chosen was to capture future annexations that might change the total acreage of the City. The plan will need to be continually evaluated and adapted over the 30-year timeframe to meet the goals.

Commissioner Varadharajan stated that number seven could be closed but asked for further clarification regarding percentages in number six. The 40% acreage figure needs correction from 4,240 as listed in the Issues Matrix to 4,264. A separate goal should be set for within City boundaries, maintaining and growing the Watershed and unincorporated areas separately. A separate goal regarding annexations should be set. In summary, because the Watershed is not part of the City, the percentage goals should be separated.

Commissioner Knopf replied that Parks and Recreation had determined in the past that, regardless of the target, the only real growth of tree canopy is going to be within City boundaries.

Commissioner Varadharajan stated that the intent of the percentage goal should be explicit to reflect the true canopy rather than a flat percentage which sounds good but is not the reality.

Chairperson Captain asked why the number of acres were being specified which may limit the City and suggested a percentage of coverage and define covered areas, actual City limits. Percentage of coverage will grow proportionate to expansion.

Vice Chairperson Nichols stated that the Planning Commission is making a recommendation to updates for the Comprehensive Plan and not the Tree Canopy Strategic Plan. Mr. Aken replied correct, the Tree Canopy Strategic Plan was adopted by City Council in January 2019. Vice Chairperson Nichols asked if modifying the goal now is outside of the scope of the Planning Commission; that the job of the Planning Commission is to assure that Comprehensive Plan policies support the Strategic Plan and numbers in acres or percentages are not relevant to the Comprehensive Plan. Mr. Aken replied correct. Vice Chairperson Nichols reiterated that only policy goals and amendments are being reviewed by the Planning Commission to assure that the already adopted Tree Canopy Strategic Plan is supported, and some point Tree Code regulations will be reviewed to assure that the Tree Canopy Strategic Plan is implemented. Mr. Aken replied correct, and that Ms. Cathy Beam oversees Tree Code regulations. Vice Chairperson Nichols stated understanding the concern of Commissioner Varadharajan, but that the concern cannot be addressed by the Planning Commission process.

Chairperson Captain stated having confused the Tree Canopy Strategic Plan and the Tree Code together and stated that policy is what the Planning Commission is examining.

Commissioner Varadharajan stated having believed that the Technical Committee recommendation was being debated, a last checkpoint before the Comprehensive Plan is amended, and that the numbers should be questioned at this time to be sure the correct idea is in the Comprehensive Plan for the future. Commissioner Varadharajan stated that mentioning *within City boundaries* specifically is sufficient, but acreage numbers had been mentioned because of the broad mention of 200 to 500 acres.

Vice Commissioner Nichols stated that there are three levels: The Comprehensive Plan, the Strategic Plan and the Code. The Strategic Plan has already been approved by City Council and is where the 40% figure is coming from. Policies are being changed within the Comprehensive

Plan to support the already approved Strategic Plan. Changes to Code will occur in the future to support the Strategic Plan.

Ms. Mesa-Zendt stated that the Comprehensive Plan is the high vision and entering Redmond 2050, eliminating specific regulatory language is a goal to limit the number of documents requiring changes. The Comprehensive Plan should be guiding principles and more overarching goals and policies with more refinement in the Strategic Plan and finality in the regulatory document, a hierarchy of specificity. The more specific the information in the Comprehensive Plan, the more difficulty there is when more flexible regulations are desired. A Land Use challenge should not be based on information in a Comprehensive Plan.

Chairperson Captain asked if the Planning Commission had reviewed the Strategic Plan prior to City Council Approval. Commissioner Knopf stated that the Parks and Trails Commission had brought the Tree Plan to the Planning Commission in certain forms but did not recall the outcome. Chairperson Captain stated recalling the issue but did not recall the actual Strategic Plan for the City. Mr. Aken stated that the Strategic Plan had not come to the Planning Commission and was not regulatory at the time.

Commissioner Varadharajan stated that the 40% figure still should be specified to be within City boundaries; 200 to 500 acres and a flat 40% is overly broad.

Vice Chairperson Nichols stated that the Strategic Plan is not before the Planning Commission and the Strategic Plan has already been approved. Commissioner Varadharajan stated understanding but asked if the Technical Committee report is simply referencing the Strategic Plan and the Planning Commission role is to confirm that the Technical Committee has supported the Strategic Plan only. Vice Chairperson Nichols stated that Council has approved the Strategic Plan, now set, and the Strategic Plan is not before the Planning Commission. Commissioner Varadharajan asked for clarification that the only response from the Planning Commission would be that the Technical Committee has referenced the Strategic Plan, and content is not to be discussed, the Planning Commission role to be gatekeepers of the process only. Vice Chairperson Nichols replied that the Planning Commission role is to work with changes to policies in the Comprehensive Plan required because of the Strategic Plan.

Commissioner Varadharajan asked for clarification regarding why a Public Hearing was held if the Strategic Plan cannot be changed. Vice Chairperson Nichols replied that the Public Hearing was regarding changing the Comprehensive Plan, but not the Strategic Plan.

Ms. Frey stated that typically and for Redmond 2050, the Comprehensive Plan is changed and afterwards or at the same time all functional plans updated to match. Redmond has been updating functional plans gradually over the last decade, however, and in this case the functional plan had been updated and now the Comprehensive Plan needs to match. The process has not been ideal and will be changed going forward.

Ms. Mesa-Zendt added that if further refinement is precluded to the high-level vision in the draft document there will be processes for a different direction at the regulatory level public process. If a more refined approach to the Tree Code is desired, there can be more refinement restrictions

when the Tree Code regulations occur. The Comprehensive Plan needs to be broad enough to provide for refinement implementations.

Commissioner Knopf stated believing that in the past, the tree canopy was intended to be part of an amendment to the Comprehensive Plan but because of many meetings and complicated debate, the issue was deferred and why the process order had been unusual. Ms. Fani replied that Commissioner Knopf was correct.

Commissioner Rajpathak asked if discussion going forward should only focus on the three recommendations from the Technical Committee report and nothing else in the review. Ms. Fani replied that there are four items, three sets of policies as outcomes from three plans adopted in 2019, in addition to the proposed updates to the Park Trails map. The three plans have already been adopted, and under consideration this evening are only the proposed policies to align with the Comprehensive Plan. Making one recommendation to either accept the Technical Committee recommendation or separate each of the four issues can be decided by the Planning Commission. Vice Chairperson Nichols stated that there are three plans that are producing Comprehensive Plan amendments. Commissioner Rajpathak asked for clarification that the policy changes come from the three plans, and Mr. Aken replied yes, reflecting high-level goals and recommendations. Chairperson Captain stated that the four items are all one package and did not see a reason to separate. Chairperson Captain asked that the Commissioners review the draft Planning Commission report for further clarification.

Commissioner Varadharajan asked if issue six could be modified to reflect the discussion and then closed. The question would be if an exact percentage of tree canopy can be expected within City boundaries only, to be revisited at the time of the Tree Code update. The issue would still be maintained and sent to the correct process. A goal would be set for the contiguous City boundary specifically, 40% of City limit.

Vice Chairperson suggested closing issue number six and opening another issue, asking to modify issue six to be sure *40% of the City limit contiguous boundaries* are captured in the Tree Code. Commissioner Varadharajan agreed. Ms. Fani replied that many questions of Commissioner Varadharajan in the recent past have been forwarded to Ms. Cathy Beam and the new issue eight will be forwarded tomorrow morning. Commissioner Varadharajan thanked Ms. Fani.

Chairperson Captain asked if the recommendation should be voted on at this time. Mr. Aken replied that the only concern was the goal could change the City Council adopted goal. Vice Chairperson Nichols stated that the concern could not be addressed by the Planning Commission process, but the concern has been captured. Commissioner East stated that the report is not being changed, but that the concern would be added to the discussion going forward for the policy. Vice Chairperson Nichols stated that the Issues Matrix would go to City Council and the Tree Code cannot override the Strategic Plan, that implementation is the question. Mr. Aken stated understanding.

MOTION to recommend Approval of the Technical Committee Report on the amendments to the Comprehensive Plan and PARCC Plan Trails Map with the following change; to retain Policy NE-113 which calls for maintaining no net loss of significant trees within the City over the long term, by Vice Chairperson Nichols. MOTION seconded by Commissioner East. MOTION passed unanimously.

Public Hearing and Study Session, Docket Process Code Rewrite

Ms. Fani reviewed the docket process and potential process improvements. Report Approval will return to the Commission on August 12, 2020. There will subsequently be other study sessions held, with City Council Action on October 20, 2020.

Chairperson Captain opened the Public Hearing.

Ms. Frey stated that no written testimony or requests to speak had been received.

Ms. Fani stated that approximately 37 people, including applicants from the past five years and others who had expressed interest in learning about the docketing process, have been notified and provided the materials under review including the last code revision from July 17, 2020. There has been no response.

Chairperson Captain closed the Public Hearing.

Ms. Fani presented item four on the Issues Matrix, a question regarding whether any other policies in the Comprehensive Plan address no net loss for housing. Aside from housing, there is no net loss verbiage other than the tree related policy that has been recommended to be retained in the last Motion. Commissioner Varadharajan stated that the retained policy will set the stage for future development. Commissioner Shefrin stated concurrence. Chairperson Captain closed the item.

Ms. Fani continued to item five, options to address criteria for land use and rezone changes and whether allowed uses are compatible with nearby uses. Staff researched and recommends that the criterion be struck with no further reference. The Comprehensive Plan includes criterion to apply to land use proposals already, the criterion in the code already addresses designation criteria, and the zoning code lays out seven types of criteria to consider for rezones. Chairperson Captain stated appreciating how the long sentence has been broken down and approved. Vice Chairperson Nichols stated the passage was much easier to understand. Ms. Mesa-Zendt clarified that the staff recommendation is to not include this criterion and stated that duplicate language would be a focus to eliminate going forward. There were no further comments and Chairperson Captain closed the item.

Ms. Fani stated that Mr. Jim Haney, City attorney, had responded to the latest red-lined version, part nine at the end of the code, Final Action. The phrase *each docketed proposal is reviewed individually and acted on using the following criteria* raised a concern that the legislative authority of the Council could be constrained. The suggestion is to choose one of the following: *each docketed proposal shall be reviewed with consideration to the following criteria* or *each*

docketed proposal shall be reviewed for substantial conformance with the following criteria. Commissioner Varadharajan stated that the first option was cleaner and more approachable, and the other Commissioners except for Chairperson Captain stated agreement. Commissioner Rajpathak asked for clarification regarding why criteria were at issue. Ms. Mesa-Zendt replied that Mr. Haney had commented that docketing is a discretionary legislative action that does not confer any restriction or property right, and that language should allow Council to exercise legislative authority in relation to the action; consideration but not conformance with every criteria being required. Commissioner Rajpathak asked why the passage regarding *considering* is needed in any form. Ms. Mesa-Zendt replied that the passage is a reminder of what should be considered but not binding in determinations. Commissioner Rajpathak asked if the next sentence should also be struck, *the review process shall follow the Type VI legislative procedures.* Ms. Fani replied that a colon could be removed but, being the only mention of type six legislative process, the sentence should remain. Ms. Mesa-Zendt replied that Type VI process criteria cover in example the type of hearing, notification required and how the hearing is conducted, and is not criteria for evaluation but actual procedure. Commissioner Rajpathak stated that the passage does not read correctly. Ms. Mesa Zendt asked if *shall be reviewed in consideration to the criteria below* and removing the word *following* would satisfy the comment, and Commissioner Rajpathak replied yes. Vice Chairperson Nichols stated agreement with option one. Chairperson Captain stated preferring option two with the phrase, *substantial conformance with*, but that the rest of the Commission prefers option one.

Ms. Fani stated that the two remaining items on the Issues Matrix had been closed and asked if there were any further comments. There were no further questions.

MOTION to recommend that the City Council approve amendments to the Redmond Zoning Code 21.76.070.J as set forth in Attachment A with identified revisions to section 9, **by Vice Chairperson Nichols. MOTION seconded by Commissioner Rajpathak. MOTION passed unanimously.**

Ms. Fani stated that she would return to the Planning Commission for their approval of the Planning Commission Report, the formal recommendation to City Council, on August 12, 2020.

Staff and Commissioner Updates

Ms. Frey stated that the joint meeting with City Council is on next Tuesday, July 28, 2020 at 6:30 p.m. and a TEAMS link will be forwarded.

Ms. Frey stated that member availability dates are needed through the poll for the September workshop.

Commissioner East asked who would be speaking at the City Council joint meeting, and Vice Chairperson Nichols replied that Commissioner Varadharajan has organized a slide presentation while Vice Chairperson Nichols has organized notes to speak to the slides. Any Commissioner wishing to present is welcome to and should contact Vice Chairperson Nichols. The presentation will be an overview of the current Planning Commission. Commissioner Shefrin asked if there would be a formal opportunity to thank staff and Vice Chairperson Nichols stated yes.

Commissioner East asked if the PowerPoint could be viewed prior to the meeting and Ms. Frey replied that the PowerPoint has been forwarded to the Council and will be published with the Agenda, and that the link will be forwarded to Commissioners. Ms. Fani asked about a get-to-know-you section of a previous joint meeting, and Ms. Frey replied that the exercise had been very time consuming and had not been discussed for the Tuesday meeting. Commissioner Varadharajan asked to be emailed with any suggestions for the presentations. Mr. Frey cautioned regarding a walk-in quorum. Chairperson Captain replied that the PowerPoint has already been forwarded to Council but there could be a possibility to change certain slides.

ADJOURNMENT:

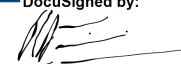
MOTION to adjourn by Commissioner East. MOTION seconded by Commissioner Knopf. The MOTION passed unanimously.

The meeting adjourned at 8:48 p.m.

Minutes Approved On:

8/26/2020

Planning Commission Chair

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